UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,307	12/22/1999	JOONG-KYU CHOI	P-056	4821

34610	7590	12/21/2005

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EXAMINER
AMSBURY, WAYNE P

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2005</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-12 and 14-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-12 and 14-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06 July 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

CLAIMS 1-6, 8-12 AND 14-24 ARE PENDING

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. In view of the amendments and discussion of the Response of 12/01/05, the rejections of the previous action are hereby withdrawn. In the interest of compact prosecution, new grounds of rejection are set forth below and prosecution is hereby re-opened.

3. **Claims 1-6, 8-12 and 14-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rekieta et al (Rekieta), US 6,098,076, 1 August 2000.**

Rekieta is directed to the synchronization of Service Control Points (SCP) in a telecommunications network [COL 1 lines 25-27; COL 2 lines 1-21]. The system is comprised of multiple elements [FIG 1a], within which the synchronization of an SCP pair [FIG 1b] corresponds to the synchronization of the claims, as detailed below.

As to **claim 1**:

An apparatus for database synchronization in a network element management system comprising:

at least one or more network elements which compare block units of information in a common memory storing current status information and information in a sync-

related memory storing previous status information, the at least one or more network

elements transmitting data results of the comparison

The process in Rekieta that corresponds to that of claim 1 is directed to a single

file [such as FIG 17 **F1**] of an Intelligent Processor Unit (IPU). The IPU accesses

mirrored memories **80, 82** [FIG 3; COL 6 lines 33-36], which store data from previous

synchronizations of transient data and static data [COL 7 lines 4-18]. The shared

memory devices [FIG 3 **72-76**] store transient data to be synchronized. Thus a shared

device **72** corresponds to the <u>common memory</u> of claim 1 and the mirror memory **80**

corresponds to the <u>sync-related memory</u> of claim 1. A file or component thereof

managed by an IPU corresponds to a block unit of information in the claim.

FIG 16 depicts a process flow for synchronization of the data in the shared

memory of an IPU. The IPU determines which records have transient and/or voice mail

data that has **changed**, (emphasis added), stores this data in a sync buffer, and

transmits it to the mate of the IPU [COL 14 lines 1-19; FIG 17].

Rekieta does not specifically state that the changed status of records is

determined by *comparison* per *se* between the two memories involved, but a test of

some sort is required in order to determine the changed status. It would have been

obvious to one of ordinary skill in the art at the time of the invention to determine

changes by comparison with records stored at a previous update because this is

required in order to determine that a change has actually occurred. Those records are in

the mirror memory, and the transient records are in the shared memory.

a network element management system which stores the data results transmitted

from the network elements for thereby monitoring and managing the network elements

in real time.

The IPU database manager [FIG 3 **68**; COL 6 lines 25-46] provides this function.

As to **claim 2**, the update processes of Rekieta are periodic or upon request

[COL 5 lines 48-50].

As to **claim 9**, Rekieta explicitly treats a number of alarm conditions [COL 8 line

53 and after] and management modules used to deal with them [FIG 6]. As to **claims 3-**

6, 8, 10-12 and 14-24, the details of synchronization management, including

SYNC_REQ signals, comparing/copying, dealing with identical blocks and recognizing

failed transmission within a network would have been obvious to one of ordinary skill in

the art as being various forms of well-known and standard practice that are standard

because they are effective.

4. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Wayne Amsbury whose telephone number is 571-

272-4015. The examiner can normally be reached on M-F 6-18:30 FIRST WEEK.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

WPA   WAYNE AMSBURY
                                                         PRIMARY PATENT EXAMINER